

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

LORENA PAEZ, ET AL.,

PLAINTIFFS,

VS.

CIVIL ACTION NO. 3:07CV36-P-A

TOYOTA MOTOR CORPORATION, INC., ET AL.,

DEFENDANTS.

ORDER

This matter comes before the court upon Defendants' Motion to Set Case for Trial in Western Division of Northern District of Mississippi [22-1]. After due consideration of the motion and the responses filed thereto, the court finds as follows, to-wit:

The plaintiffs originally filed the instant case in the Delta Division of the Northern District of Mississippi. The court granted the defendants' motion to transfer venue to the Western Division on March 12, 2007. This transfer was agreed upon by the plaintiffs.

The plaintiffs live in DeSoto County, Mississippi. The subject vehicular accident occurred in Marshall County, Mississippi. The divisional venue statute, 28 U.S.C. §1393, was repealed thereby leaving the matter of where a court tries a case within a district largely discretionary. Having considered the arguments of the parties in this case, the court concludes that trial of this matter should be conducted in Oxford, Mississippi given the parties agreed to transfer venue from the Delta Division to the Western Division and given DeSoto County and Marshall County are far closer to Oxford than Greenville.

IT IS THEREFORE ORDERED AND ADJUDGED that:

(1) Defendants' Motion to Set Case for Trial in Western Division of Northern District of Mississippi [22-1] is **GRANTED**; therefore,

(2) Trial is therefore set for the United States Courthouse in Oxford, Mississippi and is hereby **CONTINUED** until April 6, 2009 at 9:00 a.m. in the United States Courthouse in Oxford, Mississippi.

SO ORDERED this the 25th day of June, A.D., 2007.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE